

## Message Text

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PAGE 01 IAEA V 04108 01 OF 02 190010Z  
ACTION OES-07

INFO OCT-01 IO-13 ISO-00 FEA-01 ACDA-07 CIAE-00 INR-07  
L-03 NSAE-00 NSC-05 EB-07 NRC-05 DODE-00 SS-15  
/071 W

-----190103Z 073179 /20

R 181711Z MAY 77  
FM USMISSION IAEA VIENNA  
TO SECSTATE WASHDC 9118  
INFO USERDA WASHDC  
USERDA GERMANTOWN

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DEPT PASS IO/SCT

EO 11652: NA  
TAGS: IAEA, APARM, TECH  
SUBJECT: MAY 16, 1977 MEETING ON APPLICATION OF SAFEGUARDS TO  
TECHNICAL ASSISTANCE

REF: IAEA VIENNA 1598

SUMMARY: AMBASSADOR STONE AND MISOFFS PARTICIPATED IN SUBJECT  
MEETING AT AGENCY, CHAIRED BY BOARD VICE CHAIRMAN MEHTA, WITH  
PARTICIPATION OF REPS FROM DEVELOPING COUNTRIES AND DEVELOPED  
COUNTRIES. MEETING AS FOLLOW-ON TO FEBRUARY 24 MEETING SAME  
SUBJECT, BETWEEN DEVELOPING COUNTRIES ONLY, REPORTED REFTEL.  
AT MAY 16 MEETING IT WAS CONCLUDED THAT SECRETARIAT SHOULD  
PREPARE ANOTHER DRAFT PAPER THIS SUBJECT (MODIFIED AND SHORTENED  
VERSION OF GOV/INF 316) FOR CONSIDERATION AT NEXT MEETING  
OF GROUP SCHEDULED JUNE 13; BG MEETING IS SCHEDULED JUNE 14.  
END SUMMAR.

1. GROUP CONSENSUS WAS THAT SECRETARIAT'S NEW DRAFT  
PAPER SHOLD LIST FOUR SENSITIVE TECHNOLOGIES: REPROCESSING,  
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PAGE 02 IAEA V 04108 01 OF 02 190010Z

URANIUM ENRICHMENT, HEAVY WATER, PRODUCTION AND PLUTONIUM HANDLING.  
SECRETARIAT WAS ASKED ALSO TO REFLECT IN THEIR NEW PAPER THE NOTION  
THAT THE EXTEND TO WHICH THE TA CONTRIBUTED TO  
POSSIBLE FURTHERANCE OF MILITARY PURPOSES MUST BE  
TAKEN INTO ACCOUNT WHEN DECIDING WHETHER APPLICATION  
OF SAFEGUARDS WARRANTED. THERE WAS GENEAL SUPPORT  
ALSO FOR INCLUSION IN NEW PAPER OF IDEA THAT EXPLICIT

CRITERIA NOT FEASIBLE RE EXTENT OF CONTRIBUTION TO PROJECTS RECEIVING TECHNICAL ASSISTANCE AND THAT INSTEAD SECRETARIAT BE DIRECTED TO EXERCISE JUDGMENT WITHIN BG-SUPPLIED GUIDELINES, AND THAT WERE SECRETARIAT OR TA RECIPIENT IN DOUBT, ADVICE OF BG BE SOUGHT.

2. US REP STATED SUPPORT FOR FOUR SENSITIVE TECHNOLOGIES

LISTED ABOVE, BUT RECOMMENDED THAT IN ADDITION SECRETARIAT KEEP IN MIND THE TWO OTHER CATEGORIES LISTED IN PARA 7 OF GOV/INF 316 (REACTOR TECHNOLOGY AND PRODUCTION OF NUCLEAR MATERIAL COMPOUNDS SUITABLE FOR USE IN FUEL CYCLE) WHEN REVIEWING TECHNICAL ASSISTANCE REQUESTS FROM STANDPOINT OF WHETHER OR NOT APPLICATION OF SAFEGUARDS IS WARRANTED. US REP ALSO STATED THAT THERE MAY BE STILL OTHER AREAS IN WHICH ASSISTANCE MAY BE USED TO FURTHER MILITARY PURPOSE AND WE WOULD EXPECT THAT SECRETARIAT WILL BRING SUCH AREAS TO ATTENTION OF BOARD AS THEY ARE IDENTIFIED.

3. UK, FRG AND JAPANESE REPS ALSO EXPRESSED SUPPORT FOR GOV/INF 316. REPS OF PAKISTAN AND INDIA ARGUED THAT ONLY TWO TECHNOLOGIES WRE TRULY SENSITIVE: URANIUM ENRICHMENT AND REPROCESSING. WHILE SUPPORTING INCLUSION IN SECRETARIAT'S NEW DRAFT OF FOUR SENSITIVE TECHNOLOGIES, PAKISTAN REP RESERVED RIGHT TO CONTEST DURING BG DISCUSSION INDCLUSION OF HEAVY WATER PRODUCTION AND PLUTONIUM HANDLING.

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PAGE 03 IAEA V 04108 01 OF 02 190010Z

4. THERE WAS WIDE AND VOCAL SUPPORT BY REPS OF DEVELOPING COUNTRIES FOR POINT THAT TA PROVIDES VERY SMALL CONTRIBUTION RELATIVE TO LARGE AMOUNTS OF CAPITAL AND LARGE NUMBERS OF TRAINED PERSONNEL REQUIRED TO ACQUIRE MEANINGFUL CAPABILITY IN SENSITIVE TECHNOLOGIES. WITH THIS POINT IN MIND, VIEW GAINED SUPPORT THAT TEST OF WHETHER SAFEGUARDS WAS WARRANTED WOULD BE WHETHER TA UNDER CONSIDERATION RESULTED IN "SUBSTANTIAL CONTRIBUTION" TO POSSIBLE FURTHERANCE MILITARY PURPOSES. IT WAS APPARENT FROM DISCUSSIONS THAT GIVEN CURRENT SMALL AMOUNTS FOR INDIVIDUAL TA PROJECTS, DEVELOPING COUNTRIES FORESEE NO TA OF EXTENT SUFFICIENT TO WARRANT APPLICATION OF SAFEGUARDS, EVEN IF TA IS IN SENSITIVE TECHNOLOGY. EGYPTIAN REP STATED THIS VIEW EXPLICITLY, ARGUING THAT ALL THAT WAS NEEDED WAS UNDERTAKING BY STATE. TO THIS ASSERTION INDIAN REP AGREED. ADDING THAT SUCH AN UNDERTAKING ALREADY CONTAINED IN AGENCY FORM "REQUEST FOR TECHNICAL ASSISTANCE UNDER THE IAEA REGULAR PROGRAM" SIGNED BY TA APPLICANTS.

5. DDG BITTENCOURT, PRESENT AT MEETING, STATED THAT SECRETARIAT WOULD "LEAVE ASIDE" FELLOWSHIPS AND SCIENTIFIC VISITS WHEN CONSIDERING WHETHER TA WARRANTED APPLICATION OF SAFEGUARDS, AND CONSIDER SAFEGUARDS ONLY IN REQUESTS FOR PROVISION OF EXPERTS AND EQUIPMENTS. IN PRIVATE DISCUSSION, SUBSEQUENT TO MEETING, BITTENCOURT CLARIFIED THIS REMARK, STATING THAT BECAUSE TA REQUESTS IN FORM OR EXPERTS AND EQUIPMENT ARE APPROVED BY BOARD, SECRETARIAT WOULD INDICATE ITS VIEWS AS TO WHETHER SAFEGUARDS WARRANGED FOR PARTICULAR PROJECTS AT TIME OF SUBMITTAL OF PROJECTS FOR APPROVAL BY TECHNICAL ASSISTANCE COMMITTEE AND BOARD. ON REQUESTS FOR SCIENTIFIC VISITS AND FELLOWSHIPS, FOR WHICH APPLICATIONS CAN BE RECEIVED AT ANY TIME, AND FOR WHICH TAC AND BOARD APPROVAL OF INDIVIDUAL REQUESTS NOT REQUIRED, SECRETARIAT WOULD STILL INDICATE ITS VIEW AS TO WHETHER SAFEGUARDS WARRANTED WHEN IT CIRCULATED SUCH REQUESTS AMONG POTENTIAL HOST COUNTRIES.

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PAGE 04 IAEA V 04108 01 OF 02 190010Z

DESCRIPTION OF THIS CONCEPT WILL BE INCLUDED IN NEW DRAFT PAPER BY SECRETARIAT.

6. IN SAME POST-MEETING PRIVATE DISCUSSION WITH BITTENCOURT, MISOFF STRESSED IMPORTANCE TO USG OF INCLUSION IN NEW PAPER TO BE PREPARED BY SECRETARIAT, FOLLOWING SPECIFICATION OF FOUR SENSITIVE TECHNOLOGIES, OF A

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PAGE 01 IAEA V 04108 02 OF 02 190024Z  
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/071 W

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R 181711Z MAY 77  
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STATEMENT TO THE EFFECT THAT QUOTE IN THOSE CASES WHERE A REQUEST FOR ASSISTANCE INVOLVES AREAS OF TECHNOLOGY OTHER THAN THOSE 'FOUR' LISTED AND SUCH ASSISTANCE WOULD MAKE A SUBSTANTIAL CONTRIBUTION TO A PROJECT WHICH MIGHT BE USED IN SUCH A WAY AS TO FURTHER ANY MILITARY PURPOSE, THE BOARD MIGHT DIRECT THE SECRETARIAT TO REFER THE REQUEST TO THE TECHNICAL ASSISTANCE COMMITTEE FOR A RECOMMENDATION TO THE BOARD. END QUOTE. BITTENCOURT ASSURED MISOFF SUCH A STATEMENT WOULD BE INCLUDED.

7. MISOFF ALSO STRESSED TO BITTENCOURT DESIRABILITY OF REVISION TO THE STANDARD UNDERTAKING WITH RESPECT TO TECHNICAL ASSISTANCE. THE UNDERTAKING CURRENTLY SUBSCRIBED TO BY TECHNICAL ASSISTANCE RECIPIENTS PROVIDES THAT "THE ASSISTANCE REQUESTED SHALL NOT BE USED IN SUCH A WAY AS TO FURTHER ANY MILITARY PURPOSE". MISOFF URGED USE OF THE FORMULATION SIMILAR TO THAT USED IN SAFEGUARDS AGREEMENTS WITH STATES NOT PARTY TO THE NPT APPROVED BY THE BOARD SINCE JULY 1975: QUOTE... UNDERTAKE THAT THE ASSISTANCE REQUESTED SHALL NOT BE USED LIMITED OFFICIAL USE

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PAGE 02 IAEA V 04108 02 OF 02 190024Z

FOR THE MANUFACTURER OF ANY NUCLEAR WEAPON OR TO FURTHER ANY OTHER MILITARY PURPOSE OR FOR THE MANUFACTURE OF ANY OTHER NUCLEAR EXPLOSIVE DEVICE. END QUOTE. BITTENCOURT AGREED, INDICATING THAT HE WOULD SEEK AMENDMENT OF THE UNDERTAKING IN ARTICLE III OF THE AGENCY'S SUPPLEMENTARY AGREEMENT CONCERNING THE PROVISION OF TECHNICAL ASSISTANCE. THE DIFFICULTY WAS, HOWEVER, THAT 48 STATES HAD ALREADY SIGNED THE EARLIER VERSION OF THAT AGREEMENT, MANY COULD BE EXPECTED TO BALK AT SIGNING A REVISED VERSION, AND THE NET RESULT MIGHT BE A LESSENER COMMITMENT RATHER THAN A STRENGTHENED ONE. MISOFF SUGGESTED THAT INITIAL APPROACH MIGHT BE TO REVISE UNDERTAKING IN PARA 8 OF AGENCY FORM ENTITLED "REQUEST FOR TECHNICAL ASSISTANCE UNDER THE IAEA REGULAR PROGRAM". BITTENCOURT AGREED, AND INDICATED HE WOULD DO THIS AT EARLIEST OPPORTUNITY. MOREOVER, ANY NEW AGREEMENTS FOR PROVISION OF TA WOULD INCLUDE REVISED UNDERTAKING. MISSION ALSO INTENDS TO SUGGEST TO BITTENCOURT THAT, WHENEVER ANY OF 48 STATES HAVING EXISTING AGREEMENTS SUBMITS APPLICATION FOR ADDITIONAL TA, UNDERTAKING IN AGREEMENT WILL BE AMENDED TO CONFORM TO THAT IN APPLICATION. COPIES OF "SUPPLEMENTARY AGREEMENT" AND "REQUEST FOR TECHNICAL ASSISTANCE" FORMS

USED CURRENTLY BEING POUCHED TO ERDA (AMMONS).  
ACDA (VAN DOREN) AND STATE (BORIGHT). STONE

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## Message Attributes

**Automatic Decaptioning:** X  
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